

DOCKET NO.: DM-6950 US (BMS-2204)
Application No.: 10/033,769
Office Action Dated: February 9, 2004

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

REMARKS

Applicants note with appreciation the indication that claims 1, 3-9, 15, 17-22, 27, 39, and 66-86 are allowable over the elected species and "EXP #1" presented by the Examiner. Nevertheless, Applicants observe that the most recent Office Action is final, and the entire breadth of the claims has not been searched.

Thus, in order to put the application in condition for allowance, Applicants have amended claims 1, 4, 5, 18, 19, 30, 31, 42, 43, and 87 by removing references to non-elected species, and canceled claims 2, 10-14, 16, 23-26, 28, 35-38, 40, 47-65, 88-110 to the same end. However, these amendments and cancellations are made without prejudice or disclaimer, and the canceled and deleted subject matter will be pursued in a copending continuation application. The most recent Office Action indicated that claims "28-38" were withdrawn, but Applicants believe that is a typographical error, as the previous Office Action listed only claims "28, 35-38" as withdrawn.

Claim 1 has also been amended in light of the Angus reference, discussed *infra*.

Claim 87 stood rejected under 35 U.S.C. §102(b), as anticipated by Angus *et al* ("the Angus reference"). The Angus reference discloses a compound of the formula $\text{CH}_3\text{-C}(\text{CH}_2\text{-NH}_2)_3$, but fails to teach or suggest any compounds that would anticipate or render obvious Applicants' claim 87 as amended, and therefore Applicants respectfully submit that claim 87 is in condition for allowance.


Entry of the amendment is proper, as it will put the claims in condition for allowance.

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If the Examiner has any questions, she is invited to call the undersigned.

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Brian J. Hubbard
Registration No. 45,873

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439